H

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,220	12/30/1999	KELLY S. FRENCH	99-1259	6082

30408 7590 08/12/2004

GATEWAY, INC.
ATTN: SCOTT CHARLES RICHARDSON
610 GATEWAY DR., Y-04
N. SIOUX CITY, SD 57049

EXAMINER	
TRAN, TRANG U	

ART UNIT	PAPER NUMBER
2614	16

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/475,220	FRENCH, KELLY S.	
	Examiner	Art Unit	
	Trang U. Tran	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 May 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-9,11-13,15,17-22 and 24-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *27-30* is/are allowed.

6)☒ Claim(s) *1-5, 7-9, 11-13, 15, 17-22 and 24-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed May 17, 2004 have been fully considered but they are not persuasive.

In re pages 10-11, applicant states that claim 10 has been cancelled and the feature of claim 10 has been incorporated into claim 1 and requested to cite a reference supporting the Official Notice of claim 10, now amended claim 1, that "it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the old and well known signal processor being an information storage media into Yoshikazu Nishimura et al's system in order to increase flexibility of the system by adding different video sources".

In response, in order to support the Examiner's Official Notice of the last Office Action, Karanovic et al (US 6,347,154) and Freker (US 6,041,016) are cited herein to show that video source can be selected from a variety sources including TV tuners, digital video disc (DVD) players, video cassette recorders (VCRs), video cameras, etc. (see col. 1, lines 11-13 of Karanovic et al and col. 3, lines 12-14 of Freker).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-5, 7-9, 11-13, 15, 17-22 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikazu Nishimura et al (EP 0 516 378 A1) in view of Karanovic et al (US 6,347,154 B1) or Freker (US 6,041,016).

In consider claim 1, Yoshikazu Nishimura et al as set forth in the last Office Action, discloses all the claimed subject matter, note 1) the claimed a signal processor for receiving a signal to be processed is met by the camera 1 which comprises a camera body 11, a camera side radio adapter 12, a very high frequency (VHF) receiver 13 and a microwave transmitter 14 for transmitting the camera output to the CCU 41 (Fig. 1, col. 3, line 26 to col. 4, line 38), 2) the claimed an information handling system for receiving an output signal provided by said signal processor, the output signal being a video signal that is representative of at least a portion of the input signal, wherein said information handling system provides a control signal to said signal processor and said signal processor encodes data onto the output signal in response to the control signal such that the encoded data is decodable by said information handling system is met by the camera control unit (CCU) 41 which comprises a base unit 21, a VHF transmitter 23, and a microwave receiver 24 that receives signals sent from the microwave transmitter 14 of the video camera 1 (Figs. 1 and 2, col. 3, line 26 to col. 6, line 24), and 3) the claimed wherein the signal processor which is capable of encoding the data onto a vertical blanking interval of the output signal is met by the control signal multiplexer 17 of the camera side radio adapter 12 which multiplexes the status signal into, for example, vertical blanking periods

of the video signal VBS and fed to the microwave transmitter 14 for modulation into a microwave signal (Fig. 1, col. 4, lines 14-38).

However, Yoshikazu et al do not specifically discloses that the signal processor is an information storage media player.

Karanovic et al (US 6,347,154) and Freker (US 6,041,016) that video source can be selected from a variety sources including TV tuners, storage media player such digital video disc (DVD) players and video cassette recorders (VCRs), video cameras, etc. (see col. 1, lines 11-13 of Karanovic et al and col. 3, lines 12-14 of Freker).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the well known information storage media player as taught by Karanovic et al or Freker into Yoshikazu et al's system in order to increase flexibility of the system by adding different video sources.

In consider claim 2, the claimed said signal processor including a data encoder for encoding the data onto the output signal, and said information handling system having a data decoder for decoding the data from the output signal received from said signal processor is met by the microwave transmitter 14 of the camera side radio adapter 12 for modulation into a microwave signal and the microwave receiver 24 of the CCU 41 receives the signal, demodulates it, and supplies the demodulated signal to the base unit 21 (Fig. 1, col. 4, lines 14-38 of Yoshikazu Nishimura et al).

In consider claim 3, the claimed said information handling system having a transmitter for transmitting the control signal to said signal processor, and said

signal processor having a receiver and decoder for receiving and decoding the control signal received from said information handling system is met by the VHF transmitter 23 of the CCU which is transmitting the command signal to the video camera 1 and the VHF receiver 13 of the video camera 1 receives and demodulates the output from the VHF transmitter 23 (Fig. 1, col. 3, line 37 to col. 4, line 38 of Yoshikazu Nishimura et al).

In consider claim 4, the claimed said information handling system being capable of reproducing the output signal received from said signal processor is met by the camera control unit (CCU) 41 which comprises a base unit 21, a VHF transmitter 23, and a microwave receiver 24 that receives signals sent from the microwave transmitter 14 of the video camera 1 (Figs. 1 and 2, col. 3, line 26 to col. 6, line 24 of Yoshikazu Nishimura et al).

In consider claim 5, the claimed the signal to be processed and the output signal provided by said signal processor being video signals is met by the control signal multiplexer 17 of the camera side radio adapter 12 which multiplexes the status signal into, for example, vertical blanking periods of the video signal VBS and fed to the microwave transmitter 14 for modulation into a microwave signal (Fig. 1, col. 4, lines 14-38 of Yoshikazu Nishimura et al).

In consider claim 7, the claimed the output signal provided by said signal processor being an NTSC compliant video signal is met by col. 5, line 47 to col. 7, line 47.

In consider claim 8, the claimed the output signal provided by said signal processor being an NTSC compliant video signal, the data being encoded onto

the vertical blanking interval of the NTSC compliant video signal in compliance with an Electronic Industry Association standard is met by col. 5, line 47 to col. 7, line 47 of Yoshikazu Nishimura et al.

In consider claim 9, the claimed the control signal being a wireless signal is met by the radio channel or microwave channel (Figs. 1 and 5, col. 8, lines 14-53 of Yoshikazu Nishimura et al).

Claim 11 is rejected for the same reason as discussed in claims 1 and 3.

In consider claim 12, the claimed the data being indicative of a status of execution of the control signal is met by the control signal multiplexer 17 of the camera side radio adapter 12 which multiplexes the status signal into, for example, vertical blanking periods of the video signal VBS and fed to the microwave transmitter 14 for modulation into a microwave signal (Fig. 1, col. 4, lines 14-38 and col. 8, lines 25-38).

In consider claim 13, the claimed the data being indicative of a status of said processing means is met by the control signal multiplexer 17 of the camera side radio adapter 12 which multiplexes the status signal into, for example, vertical blanking periods of the video signal VBS and fed to the microwave transmitter 14 for modulation into a microwave signal (Fig. 1, col. 4, lines 14-38 and col. 8, lines 25-38).

Claim 15 is rejected for the same reason as discussed in claim 1.

Claim 17 is rejected for the same reason as discussed in claim 2.

Claim 18 is rejected for the same reason as discussed in claim 13.

In consider claim 19, the combination of Yoshikazu Nishimura et al and Karanovic et al or Freker disclose all the limitations of the instant invention as discussed in claims 1 and 15 above, except for providing the claimed further comprising the steps of determining that the available vertical blanking interval is not available during a predetermined time after decoding the control signal and interleaving the data in a previously existing data packet. The capability of determining that the available vertical blanking interval is not available during a predetermined time after decoding the control signal and interleaving the data in a previously existing data packet is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the old and well known of determining that the available vertical blanking interval is not available during a predetermined time after decoding the control signal and interleaving the data in a previously existing data packet into the combination of Yoshikazu Nishimura et al and Karanovic et al or Freker's system in order to ensure that the data is accurately inserted in the vertical blanking interval.

Claim 20 is rejected for the same reason as discussed in claim 1.

Claim 21 is rejected for the same reason as discussed in claim 2.

Claim 22 is rejected for the same reason as discussed in claim 13.

Claim 24 is rejected for the same reason as discussed in claim 19.

In considering claim 25, the claimed wherein said information storage media player is a VCR player is met by the VCR of Karanovic et al and Freker (see col. 1, lines 11-13 of Karanovic et al and col. 3, lines 12-14 of Freker).

In considering claim 26, the claimed wherein said information storage media player is a DVD player is met by DVD player of Karanovic et al and Freker (see col. 1, lines 11-13 of Karanovic et al and col. 3, lines 12-14 of Freker).

Allowable Subject Matter

4. Claims 27-30 are allowed.

The independent claim 27 identifies the distinct features: "wherein the information storage media player receives and decodes a control signal from the computer system and in response thereto, encodes status data within the vertical blanking interval of the output video signal, the encoded status data being decodable by the computer system for acquiring the status of the information storage media player". The closest pr Yoshikazu Nishimura et al (EP 0 516 378 A1), Karanovic et al (US 6,347,154 B1) and Freker (US 6,041,016), either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (703) 305-0090. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT

August 8, 2004

MICHAEL H. LEE
PRIMARY EXAMINER